

Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 AID-05 EB-07 DOTE-00 L-03 CIAE-00

INR-07 NSAE-00 INRE-00 SSO-00 JUSE-00 DODE-00 NSCE-00

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DRAFTED BY ARA-LA/PAN:ENADEAU/L/ARA:GCHESTER:JVC

APPROVED BY ARA-LA/PAN:ENADEAU

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FM SECSTATE WASHDC

TO AMEMBASSY PANAMA IMMEDIATE

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E.O. 11652: N/A

TAGS: PFOR, PN

SUBJECT: DARIEN GAP HIGHWAY INJUNCTION

FOR AMBASSADOR FROM BELL

1. I MET WITH AMB. GONZALEZ-REVILLA OCTOBER 30 AND DISCUSSED AMONG OTHER TOPICS THE PRESENT STATUS OF THE USG EFFORTS TO OVERTURN OR MODIFY THE PRELIMINARY INJUNCTION AGAINST USG ACTIVITIES IN THE CONSTRUCTION OF THE DARIEN GAP HIGHWAY. I INFORMED THE AMBASSADOR OF THE INTERAGENCY MEETING OCTOBER 29 AND ALSO INFORMED HIM OF THE PRELIMINARY DECISIONS TAKEN AS FOLLOWS:

2. DEPARTMENT OF JUSTICE CURRENTLY PLANS TO PETITION THE DISTRICT COURT TO STAY THE INJUNCTION AS TO THE CONSTRUCTION ALREADY UNDERWAY IN PANAMA. THE PETITION WILL BE FILED IN CONJUNCTION WITH A MOTION TO RECONSIDER THE ISSUANCE OF THE INJUNCTION ON GROUNDS OF EQUITY. SHOULD THE PETITION BE DENIED OR ACTION DELAYED, JUSTICE

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WOULD TAKE ITS REQUEST TO THE COURT OF APPEALS AND

ULTIMATELY TO MR. JUSTICE BERGER, IF NECESSARY, TO ALLOW
CONSTRUCTION TO RESUME PROMPTLY IN PANAMA.

3. I DID NOT INDICATE TO THE AMBASSADOR THE EXTENT TO
WHICH THE DEPARTMENT OF STATE WOULD BE INVOLVED IN
PETITIONING THE COURT, AS THAT ISSUE HAS NOT BEEN
RESOLVED YET. WE WILL INFORM YOU AS SOON AS POSSIBLE
ON THE EXTENT OF OUR INVOLVEMENT AND PROVIDE FURTHER
DETAILS ON THE INTERAGENCY MEETING.

4. BY THE WAY, I ASSURED THE AMBASSADOR THAT DAN FLOOD
WAS NOT CONNECTED IN ANY WAY WITH THE SUIT. KISSINGER

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